

04/25/01 12:44

6175428906

F R BOSTONQ

002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robertson et al.
Serial No. : 09/394,264
Filed : September 10, 1999
Title : NOVEL COCHLEAR GENE COCH5B2 AND USES THEREFOR

Art Unit : 1648
Examiner : Winkler, U

Commissioner for Patents
Washington, D.C. 20231

Declaration Of Cynthia Morton, Ph.D.
Under 37 CFR §1.132

Sir:

I, Cynthia Morton, Ph.D., a citizen of United States, residing at 15 Nobscot Road Newton Centre, MA 02459, hereby declare as follows:

(1) I am co-inventor with Nahid Robertson of the subject matter described and claimed in the above-identified application.

(2) I am co-author with Anne Skvorak, Yi Yin, Stanislawa Weremowicz, Kenneth Johnson, Kristina Kovatch, James Battey, Frederick Bieber and Nahid Robertson of a publication entitled "Mapping and Characterization of a Novel Cochlear gene in human and In Mouse:A Positional Candidate Gene for a Deafness Disorder, DFNA9" which was published in the journal *Genomics*, (1997) volume 46, pages 345-354.

(3) In the work reported in the above-referenced publication, Anne Skvorak, Yi Yin, Stanislawa Weremowicz, Kenneth Johnson, Kristina Kovatch, James Battey, and Frederick Bieber, either worked under my direction and supervision providing technical assistance or worked under my direction in providing technical advice.

(4) In addition, GenBank/EMBL Accession Numbers AF006741 and AF006740 were submitted to GenBank prior to publication of this paper, however, the

04/25/01 12:45

~~6175428906~~

F R BOSTONQ

4003

sequences were not made available until after this reference was published. Therefore, GenBank/EMBL Accession Numbers AF006741 and AF006740 were not available on GenBank until after this reference was published in the journal *Genomics* in December 1997.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

4-27-01
Date

Cynthia Morton, Ph.D.
Cynthia Morton, Ph.D.